



U.S. Department of Justice

*United States Attorney
Southern District of New York*

Application for adjournment
GRANTED.

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*


March 16, 2020

BY CM/ECF

Honorable Lewis J. Liman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

The status conference currently scheduled for March 19, 2020 at 2:00PM has been rescheduled to April 22, 2020 at 2:00PM. The Court excludes the time from the date of this order to April 22, 2020 under 18 USC 3161(h)(7)(A) finding that the ends of justice substantially outweigh the interests of the defendant and the public in a speedy trial given the national emergency and the need for the defendant to have time to review discovery.

3/16/2020


LEWIS J. LIMAN
United States District Judge

Re: *United States v. Lawrence Ray*, 20 Cr. 110 (LJL)

Dear Judge Liman:

The Government writes to on behalf of both parties to request an adjournment of the conference currently scheduled for March 19, 2020 at 2:00 p.m. Counsel for both parties have been advised to work remotely where possible, and to see adjournments of nonessential court appearances in light of current guidance from public health officials. We therefore request adjourning the next conference for approximately one month.

The Government also writes to update the Court on the status of discovery. On March 5, 2020, the Government made a second discovery production to defense counsel that included material marked "sensitive" under the Court's protective order. The Government has been working with outside vendors to prepare a large email and iCloud production which is near completion, but which has been slowed down by teleworking procedures. The FBI has completed the process of separating the responsive and non-responsive paper records seized in the premises searches. The Government has inquired with defense counsel about where to return the non-responsive paper records but has yet to receive a response. The volume of responsive paper records is high so the FBI is shipping those records out today for scanning by a specialized facility. The initial estimate was that those scans would be completed within a month. The FBI is also in progress on extracting the electronic devices seized in the premises searches, and the Government will continue to produce those extractions on a rolling basis. The Government is striving to meet the Court's discovery deadline and will update the Court if new impediments arise that delay discovery production.

The Government further requests, with defense counsel's consent, that time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), until the next conference date in the interests of justice. The exclusion of time will provide the Government an opportunity to continue producing discovery, and defense counsel the opportunity to review it and to contemplate potential motions.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

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cc: Marne Lenox, Esq. (by ECF)